IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 4TH JUNE 2007 / 14TH JYAISHTA 1929

Bail Appl..No. 3265 of 2007()

CP.12/2007 of J.M.F.C.-II,KOTTARAKKARA
CRIME NO.16/05 OF POOYAPPALLY POLICE STATION

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: PETITIONER/ACCUSED

ASHOKAN, S/O KOCHUKRISHNAN,
ASWATHY BHAVAN, VATTAVILA AMBEDKKAR COLONY,
KUDAVATTUR MURI, VELIYAM VILLAGE, KOLLAM.

BY ADV. SRI.C.RAJENDRAN

RESPONDENTS: COMPLAINANT

STATE OF KERALA REPRESENTED BY
SUB INSPECTOR OF POLICE, POOYAPPALLY POLICE
STATION, THROUGH THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 3265 OF 2007

Dated this the 4th day of June, 2007

O R D E R

Petitioner, who is the accused in Crime No.16/2005 of Pooyappally Police Station for an offence punishable under Sec.55(g) of the Abkari Act, seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.P. No.12/2007 on the file of the J.F.C.M.-II, Kottarakkara, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of, preferably on the same day on which it is filed, after considering the explanation offered by the petitioner for his previous non-appearance.

With the above observation this application is disposed of .

(V. RAMKUMAR, JUDGE)

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